

REMARKS

As a preliminary matter, Applicants note that because the claim amendments of May 7, 2009 were not entered, the present amendments are made to the claims presented on October 24, 2008, which had previously been made of record.

Applicants also appreciate the Examiner's willingness to discuss this application with Applicants' representative on September 8, 2009.

Prior to entry of this amendment, claims 1-24, 27-31, 33, 62-63 and 65-67 were pending and claims 36, 38-40, 42-43 and 46-60 were pending and withdrawn. Claims 21, 22, 36, 38-40, 42-43, 51, and 55-61 are sought to be cancelled without prejudice thereto or disclaimer thereof any subject matter contained therein. New claims 68-122 have been added. Accordingly, upon entry of the present amendment, claims 1-20, 23-24, 27-31, 33, 62-63, and 65-122 will be pending and claims 46-50 and 52-54 will remain pending and withdrawn.

Claims 1-3, 8, 14, 18, 19, 46-47, 52, 54, 56 and 67 have been amended in order to further define the invention. Applicants note that the variables Y and Z have been amended such that they no longer specify carbonyl (C=O). Support for the amendments to the claims can be found throughout the specification and claims as originally filed.

New claims 68-70 are drawn to compositions having specific compounds of the invention. Support for the addition of claims 68-70 can be found, at least, for example, on page 83 of the application as filed. Support for new claims 71-74 can be found, at least, for example, in original claims 1 and 2. New claims 75-122 correspond to claims 1-20, 23, 24, 27-31, 33, 46-50, 52-57, 62, 63, and 65-74 respectively, with the following difference: claims 1-74 specify a "pharmaceutical composition *for systemic administration...*", whereas new claims 75-125 specify a "pharmaceutical composition..."

The foregoing claim amendments have been made solely for the purpose of expediting prosecution of the present application and should in no way be construed as acquiescence to any of the Examiner's rejections in this or in any other Office Action issued in the present application. Applicants reserve the right to pursue the subject matter of the present claims prior to being amended herein in this application or in another related application.

In view of the foregoing claim amendments and the arguments set forth below, Applicants respectfully submit that the claims are now in condition for allowance.

In view of the foregoing, entry of the amendments and remarks herein, reconsideration and withdrawal of all rejections, and allowance of the instant application with all pending claims is respectfully solicited.

Claim Objections

According to the Office Action, claims 1, 2, 14, and claims dependent therefrom, are objected to for containing carbonyl (C=O) in the definitions of variables Y and Z. As discussed during the interview of September 8, 2009, Applicants have amended the relevant claims such that the carbonyl group is no longer claimed. Accordingly, Applicants respectfully request reconsideration and withdrawal of this objection to the claims.

Request for Rejoinder of Claims 46-50 and 52-54

Applicants respectfully request rejoinder of withdrawn claims 46-50 and 52-54 at least for the following reasons.

As discussed during the interview of September 8, 2009, Applicants submit that Group IV of the Restriction Requirement of February 23, 2007 should have also included dependent claims 46-50 and 52-54. Applicants also submit that currently withdrawn dependent claims 46-50 and 52-54 fall within the scope of claim 1 as amended (*i.e.*, the definitions of claims 46-50 and 52-54 do not require that variables Y or Z of claim 1 be carbonyl).

Accordingly, because claims 46-50 and 52-54 and the currently pending claims are directed toward a single, inventive concept, and examining claims 46-50 and 52-54 would not present a search burden, Applicants respectfully request that these claims be rejoined.

CONCLUSION

In view of the above remarks, it is believed that this application is in condition for allowance. If a telephone conversation with Applicants' Attorney would expedite prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 227-7400.

If any additional fees are due, please charge our Deposit Account No. 12-0080, under Order No. EISN-018CP from which the undersigned is authorized to draw.

Dated: October 23, 2009

Respectfully submitted,

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